

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JACKSON FAMILY WINES, INC. and
LC TM HOLDINGS, LLC,

Plaintiffs,

v.

DIAGEO NORTH AMERICA, INC. and
DIAGEO CHATEAU & ESTATE WINES CO.,

Defendants.

) Case No. CV-11-5639 (EMC) (JSC)

) **JOINT STATEMENT REGARDING**
) **TRIAL SCHEDULE ; ORDER**

At the Court's request, Plaintiffs Jackson Family Wines, Inc. and LC TM Holdings, LLC ("Plaintiffs") and Defendants Diageo North America, Inc. and Diageo Chateau & Estate Wines Co. (together "Defendants" or "Diageo") (together with Plaintiffs, the "Parties") submit this joint letter regarding the trial schedule in this matter.

A four-day jury trial of this case is currently scheduled to begin on December 16, 2013. Due to a potential conflict in the Court's schedule, the Court proposed rescheduling the trial to February 3, 2014 or March 3, 2014 [Dkt. 85].

The Parties have met and conferred by phone regarding this scheduling issue and have reached the following conclusions: (1) the Parties believe the trial will likely require six to seven days (as opposed to the initial estimate of four days), including the jury selection process; and (2) the Parties are available for trial from March 3, 2014 to March 12, 2014. The Parties also believe that moving the trial to next March would better facilitate a six- or seven-day trial because the current December trial schedule may be interrupted by the Christmas holiday, which would impose an undesired mid-trial break on the Court, the jurors, and the Parties.

As such, the Parties respectfully request that the Court adjourn the trial to start on March 3, 2014 and that all remaining pre-trial deadlines, including the deadline for the joint pretrial conference statement and other pretrial materials, and the date of the final pretrial conference, all identified in the Parties' Updated Joint Case Management Statement filed September 19, 2013

**JOINT STATEMENT REGARDING
TRIAL SCHEDULE**

[Dkt. 84], be postponed accordingly.

Dated: October 1, 2013

/s/ Peter J. Willsey

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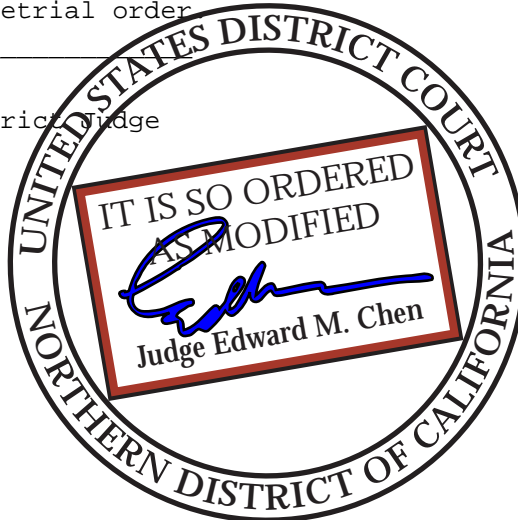
Attorneys for Defendants

IT IS SO ORDERED that the jury trial is reset from 12/16/13 to 3/3/14 at 8:30 a.m. The Court reserved 7 days for the trial. Court to issue amended CMC and pretrial order

Edward M. Chen

United States District Judge

Dated: 10/9/13



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CERTIFICATE OF SERVICE

/s/ Peter J. Willsey

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3. **JOINT STATEMENT REGARDING
TRIAL SCHEDULE**